

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HERALD, PRIMEO, AND THEMA
FUNDS SECURITIES LITIGATION

ECF Case

Case No. 09 Civ. 0289 (RMB)

This document relates to:

NEVILLE SEYMOUR DAVIS, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

ALBERTO BENBASSAT, STÉPHANE
BENBASSAT, GENEVALOR, BENBASSAT &
CIE, GERALD J.P. BRADY, JOHN
HOLLIWELL, SONJA KOHN, DANIEL
MORRISSEY, PETER SCHEITHAUER, DAVID
T. SMITH, WERNER TRIPOLT, BANK MEDICI
AG, UNICREDIT SPA, HSBC INSTITUTIONAL
TRUST SERVICES (IRELAND) LTD., HSBC
SECURITIES SERVICES (IRELAND) LTD.,
HSBC HOLDINGS PLC,
PRICEWATERHOUSECOOPERS
INTERNATIONAL LTD.,
PRICEWATERHOUSECOOPERS (DUBLIN),
PRICEWATERHOUSECOOPERS LLP,
PRICEWATERHOUSECOOPERS BERMUDA,
THEMA ASSET MANAGEMENT LIMITED,
THEMA INTERNATIONAL FUND PLC, BA
WORLDWIDE FUND MANAGEMENT
LIMITED, PETER MADOFF, ANDREW
MADOFF, MARK MADOFF, WILLIAM FRY, JP
MORGAN CHASE & CO., and THE BANK OF
NEW YORK MELLON,

Defendants.

LEAD PLAINTIFF NEVILLE SEYMOUR DAVIS'S NOTICE OF APPEAL

PLEASE TAKE NOTICE that, under 28 U.S.C. § 1291, Lead Plaintiff Neville Seymour Davis, on behalf of himself and all others similarly situated, appeals to the United States Court of Appeals for the Second Circuit from:

- (1) the Final Judgment entered on December 12, 2011 (Dkt. No. 360);
- (2) the Decision & Order entered on December 8, 2011 (Dkt. No. 356);
- (3) the Decision & Order entered November 29, 2011 (Dkt. No. 351);
- (4) the Decision & Order entered September 15, 2011 (Dkt. No. 318);
- (5) the Order entered on September 8, 2011 (Dkt. No. 313); and
- (6) the Decision & Order entered on September 7, 2011 (Dkt. No. 312).

Dated: January 11, 2012

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